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to have the largest number of both first and second choice votes and so secures the nomination as follows:

	White	Gray	Brown	Black
First choice votes.....	100	75	70	35
Second choice votes.....	47	108	65	80
	<hr/>	<hr/>	<hr/>	<hr/>
	147	183	135	135

LEON E. AYLSWORTH.

**Railroad Passenger Rates—South Dakota.** The great tidal wave of railway passenger rate regulation began in Ohio in 1906, swept over the south and middle west, reached its height in 1907, and since then has been slowly receding. The rising of the wave was marked by discontent with present conditions, a feeling of bitterness and a strong agitation for reductions in rates. Its fall was marked by injunctions, counter injunctions, threats, a struggle for state rights, special sessions, compromises, court decisions, some bitterness toward the courts, and a realization that there had been some hasty action. The laws have not all been contested, and where they have been, sometimes the state has won, sometimes the railroads have won, and sometimes the struggle has resulted in a compromise.

The latest legislation on passenger rates has been in South Dakota. The 1907 law provided for a two and one-half cent rate on all but the narrow gauge roads; they were to be classified by the commission on the basis of their annual earning capacity and their rates fixed accordingly. In 1909 a flat two cent rate was passed. No allowance was made for narrow gauge roads, none for short lines, none for branch lines; they were all placed in the same class and all subjected to the same rate. The only exception that is made—and that was made in a subsequent act and applied only to that portion of the road having the required characteristic—was to exempt railroad companies having roads with a maximum grade exceeding seventy-five feet to the mile, and an average grade exceeding fifty feet to the mile. Violations of the law are made punishable by heavy fines on both the company and the individual agent. The individual may also be imprisoned.

Injunctions have already been issued and we await the final hearing and decision without comment.

ROBERT ARGYLL CAMPBELL.